

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed House Bill 1119 be amended to read as follows:

1       Page 1, between the enacting clause and line 1, begin a new  
2       paragraph and insert:  
3       "SECTION 1. IC 5-10.2-4-8, AS AMENDED BY P.L.72-2007,  
4       SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5       JULY 1, 2008]: Sec. 8. (a) As used in this section, "exempt amount"  
6       means, in the case of a member who has not attained the Social  
7       Security normal retirement age for unreduced benefits, thirty-five  
8       thousand dollars (\$35,000); computed for the calendar year in which  
9       a retired public employees' retirement fund member is reemployed and  
10      computed for the fiscal year in which a retired teachers' retirement fund  
11      member is reemployed:  
12      (b) This subsection does not apply to a member who is employed by  
13      the department of education or after June 30, 2007; to a member of the  
14      Indiana state teachers' retirement fund who is reemployed more than  
15      ninety (90) days after the member's retirement in a position covered by  
16      the Indiana state teachers' retirement fund: (a) If a member who is  
17      receiving retirement benefits and who has not attained the Social  
18      Security normal retirement age for unreduced benefits:  
19      (1) becomes reemployed in a position covered by this article and  
20      (2) earns in that position more than the exempt amount;  
21      his more than ninety (90) days after the member's retirement, the  
22      member's retirement benefit payments shall stop; and continue.  
23      Except for a member of the Indiana state teachers' retirement fund  
24      who is reemployed more than ninety (90) days after the member's  
25      retirement in a position covered by the Indiana state teachers'  
26      retirement fund, the member shall begin making contributions as  
27      required in IC 5-10.2-3-2, However; and the member's employer shall  
28      make contributions shall be made throughout the member's period of  
29      reemployment. The earnings limitation under this subsection does not  
30      apply to a member who has attained the Social Security normal

1 retirement age for unreduced benefits.

2 ~~(c)~~ (b) If a member who is receiving retirement benefits is  
 3 reemployed in a position covered by this article not more than ninety  
 4 (90) days after the member's retirement, the member's retirement  
 5 benefits shall stop, the member shall begin making contributions as  
 6 required by IC 5-10.2-3-2, and employer contributions shall be made  
 7 throughout the period of reemployment.

8 ~~(d)~~ (c) This subsection does not apply after June 30, 2007, to a  
 9 member of the Indiana state teachers' retirement fund who is  
 10 reemployed more than ninety (90) days after the member's retirement  
 11 in a position covered by the Indiana state teachers' retirement fund. If  
 12 a retired member is reemployed in a position covered by this article,  
 13 section 10 of this chapter applies to the member upon the member's  
 14 retirement from reemployment.

15 ~~(e)~~ (d) The following apply to a member of the Indiana state  
 16 teachers' retirement fund who after June 30, 2007, is reemployed more  
 17 than ninety (90) days after the member's retirement in a position  
 18 covered by the Indiana state teachers' retirement fund:

19 (1) The member's retirement benefit payments continue during the  
 20 member's period of reemployment without regard to the amount  
 21 of the member's earnings from the covered position.

22 (2) The member may not make contributions under IC 5-10.2-3-2  
 23 or IC 5-10.4-4-11 during the member's period of reemployment.

24 (3) The member's employer may not make contributions under  
 25 IC 5-10.2-2-11 or IC 5-10.4-4-11 for or on behalf of the member  
 26 during the member's period of reemployment.

27 (4) The member does not earn creditable service under  
 28 IC 5-10.2-3-1 for the member's period of reemployment.

29 (5) The member is not entitled to an additional benefit under  
 30 sections 9 and 10 of this chapter for the member's period of  
 31 reemployment."

32 Renumber all SECTIONS consecutively.

(Reference is to EHB 1119 as printed February 22, 2008.)

---

Senator WEATHERWAX